

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

RONALD TODD COLLINS,

Plaintiff,

v.

DECATUR COUNTY BOC,

Defendant.

1:03-CV-169 (WLS)

ORDER

Before the Court is a Report and Recommendation from United States Magistrate Judge Richard L. Hodge (Tab 11), filed September 22, 2005. Also, before the Court is a motion to proceed *in forma pauperis* filed shortly before the recommendation was issued. It is recommended that Plaintiff's complaint be dismissed for failure to prosecute. Petitioner has not filed a timely objection to the Report and Recommendation.

The Court notes that the Magistrate Judge repeatedly notified Plaintiff of the need to prosecute. On March 24, 2004, the Magistrate Judge ordered the Plaintiff to supplement his complaint. (Tab 4). Plaintiff partially complied with that order. (Tab 5). Over a year later, on April 28, 2005, the Magistrate Judge sent Plaintiff a letter asking him whether he was still interested in pursuing the case since Plaintiff had not generated any activity in over a year. (Tab 6). On May 26, 2005, the Magistrate Judge ordered Plaintiff to further supplement the complaint and to update his application to proceed *in forma pauperis* by July 1, 2005. (Tab 7). Plaintiff never filed a supplement to the complaint in response to the order and submitted a copy of the original affidavit. (Tab 8). Plaintiff was again ordered to submit an updated affidavit. (Tab 9). On July 5, 2005, Plaintiff submitted an updated affidavit. (Tab 10). Plaintiff has yet to supplement his complaint to specifically identify the individual who allegedly denied him adequate medical care.

Upon full consideration of the record, the Court finds that said Recommendation should be and hereby is, **ACCEPTED, ADOPTED** and made the order of this Court for

reason of the findings and reasons set out therein. Accordingly, Plaintiff's complaint (Tab 1) is **DISMISSED**. Further, Plaintiff's motion to proceed *in forma pauperis* (Tab 10) is **DENIED as moot**.

SO ORDERED, this 20th day of January, 2006.

/s/W. Louis Sands
W. Louis Sands, Chief Judge
United States District Court